

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PHOENIX LIGHT SF LIMITED, in its own right and in	:	
the right of BLUE HERON FUNDING VI LTD., BLUE	:	
HERON FUNDING VII LTD., KLEROS PREFERRED	:	
FUNDING V PLC, SILVER ELMS CDO PLC,	:	
SILVER ELMS CDO II LIMITED, C-BASS CBO XIV	:	
LTD., and C-BASS CBO XVII LTD., and each of	:	
BLUE HERON FUNDING VI LTD., BLUE HERON	:	
FUNDING VII LTD., KLEROS PREFERRED	:	No. 14-cv-10116 (KBF)
FUNDING V PLC, SILVER ELMS CDO PLC and	:	(Rel. 12-cv-2865-KBF)
SILVER ELMS CDO II LIMITED, in their own right,	:	
	:	ECF CASE
Plaintiffs,	:	
	:	
v.	:	
	:	
U.S. BANK NATIONAL ASSOCIATION and BANK	:	
OF AMERICA, NA,	:	
	:	
Defendants.	:	
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DEFENDANTS' NOTICE OF JOINT MOTION TO DISMISS  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(1)&(6)

**PLEASE TAKE NOTICE** that, upon the Declaration of Jacob S. Kreilkamp, executed on February 27, 2015, and the exhibits thereto; the accompanying Memorandum of Law, dated February 27, 2015; and all prior pleadings and proceedings herein, defendants Bank of America, N.A. and U.S. Bank National Association move this Court, before the Honorable Katherine B. Forrest, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 15A, New York, New York, as soon as counsel may be heard, for an order pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) dismissing Plaintiffs' Complaint for lack of subject matter jurisdiction and failure to state a claim.

Dated: February 27, 2015

Respectfully submitted,

BANK OF AMERICA, N.A.

U.S. BANK NATIONAL ASSOCIATION

By its attorneys

By its attorneys

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